

Attorney Docket No. 04083/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants : Takashi YONEYAMA et al

Serial No. : 10/773,524

Filed : February 6, 2004

For : DEFECT INSPECTION APPARATUS
AND DEFECT INSPECTION METHOD

Art Unit : 2624

Examiner : TSAI, TSUNG YIN

Confirm. No.: 7190

This paper is being submitted
via EFS-Web on March 4, 2008

In the event that this Paper
is late filed, and the
necessary petition for
extension of time is not
filed concurrently herewith,
please consider this as a
Petition for the requisite
extension of time, and to the
extent not already paid,
authorization to charge the
extension fee to Account
No. 06-1378. In addition,
authorization is hereby given
to charge any fees for which
payment has not been
submitted, or to credit any
overpayments, to Account No.
06-1378.

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(d) WITH STATEMENTS
UNDER 37 CFR 1.97(e) AND 1.704(d) WITH FEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a Japanese Office Action (Notice of Rejection Ground) dated February 12, 2008 (and English translation thereof) issued in a counterpart Japanese application;
- (2) Copies of the cited Japanese documents;
- (3) IDS Form; and
- (4) The USPTO fee of \$180.00 as set forth under 37 CFR 1.17(p) for filing an IDS at this stage of prosecution (after issuance of a final Office Action) is being paid by credit card herewith. If any further fees are required, authorization is given to charge same against Account No. 06-1378.

An English translation of said Japanese Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609.04(a)III).

English Language Abstracts are provided for each of the Japanese documents cited on the attached IDS Form submitted herewith.

STATEMENT UNDER 37 CFR 1.97(e)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from foreign patent offices in counterpart foreign applications not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of **February 12, 2008**. Therefore, the filing of this Information Disclosure Statement, with fee, is timely under the provisions of 37 CFR 1.97(d).

STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

NOT A RESPONSE TO OFFICE ACTION

This paper is **not** a response to the outstanding final Office Action mailed **November 26, 2007**. A response to said outstanding final Office Action will be timely filed in due course.

It is requested that an initialed copy of the IDS Form be returned to indicate that the publications listed therein have each been considered and made of record.

Respectfully submitted,



Douglas Holtz, Esq.
Reg. No. 33,902

Encls.

Dated: March 4, 2008

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